

United States District Court
for the
Southern District of Florida

Worldwide Distributors, Inc.,)	
Plaintiff,)	
)	
v.)	Civil Action No. 22-23635-Civ-Scola
)	
Maven Med, Inc., Defendant.)	

Order Adopting Magistrate Judge’s Report and Recommendations

Previously, the Court referred Plaintiff Worldwide Distributors, Inc.’s motion for default judgment (Pl.’s Mot., ECF No. 18) to United States Magistrate Judge Jonathan Goodman for a report and recommendations. (Court’s Ref., ECF No. 20.) Thereafter, subsequent to holding an evidentiary hearing, Judge Goodman issued a report, recommending that the Court deny the motion without prejudice. (Rep. & Rec., ECF No. 31.) Though Worldwide did not file any objections to the report, it has filed what it captions a response, advising that it “has decided not to file an appeal of the order.” (Pl.’s Resp., ECF No. 36.)

Despite the lack of objections, the Court has nonetheless made a de novo review of Judge Goodman’s recommendations. After careful consideration of his report, the record, and the relevant legal authorities, the Court agrees with the entirety of Judge Goodman’s findings and conclusions: the complaint’s allegations do not establish the Court’s subject-matter jurisdiction or personal jurisdiction over Defendant Maven Med, Inc.; Worldwide failed to state claim for conversion; and Worldwide has not established its standing to pursue a claim on behalf of Baltimore County. The Court therefore **affirms and adopts** Judge Goodman’s report and recommendations (**ECF No. 31**), thus **denying** the motion **without prejudice (ECF No. 18)**.

Accordingly, the Court **dismisses** Worldwide’s complaint, **without prejudice**, and orders Worldwide to file an amended complaint, on or before **July 28, 2023**,* if it believes it can, in good faith, allege facts curing the pleading deficiencies identified by Judge Goodman. If Worldwide fails to adequately allege the Court’s subject-matter jurisdiction, the Court will dismiss the complaint without prejudice. Further, as ordered by Judge Goodman, Worldwide must ensure that Maven Med is subject to this Court’s jurisdiction under the Florida long-arm statute and that the requirements of due process

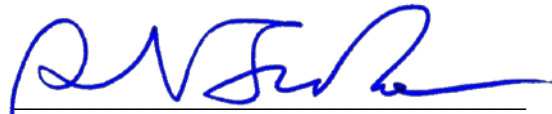
* In its “response,” Worldwide has requested thirty days to file its amended complaint due to pre-planned obligations. (Pl.’s Resp. at 1 – 2.)

are met. If Worldwide cannot satisfy these conditions, then it may not file an amended complaint and must instead file a notice, advising the Court as to the status of this case.

The Court directs the Clerk to **mail** a copy of this order to Maven Med at the address indicated below.

Since there is currently no viable pleading before the Court, the Clerk is directed to administratively **close** this case. If Worldwide files a complaint, compliant with Judge Goodman's orders, the Court will reopen this case.

Done and ordered in Miami, Florida, on June 29, 2023.

A handwritten signature in blue ink, appearing to read 'R. N. Scola, Jr.', written over a horizontal line.

Robert N. Scola, Jr.
United States District Judge

Copy to:

Maven Med, Inc.
844 S. Bramble Way
Anaheim, CA 92808